

DAE/MP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nicholas AYACHE et al

Title: APPARATUS FOR SIMULATING THE DEFORMATION OF MATERIALS, NOTABLY OF SOFT BODY TISSUES

Appl. No.: 10/061,455

Filing Date: 02/04/2002

Examiner: Unassigned

Art Unit: 3731



**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on May 24, 2002, in the above-identified application, transmitted herewith are the missing parts needed to complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (4 pages)
- ☒ Petition (2 pages)
- ☒ Copy of Application, as filed, with copy of the stamped postcard (53 pages)
- ☒ Return Copy of Notice to File Missing Parts (2 pages)

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JUL 16 2002  
OFFICE OF PETITIONS

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$740.00	\$740.00
Total Claims:	14	- 20	= 0	x \$18.00	= \$0.00
Independents:	1	- 3	= 0	x \$84.00	= \$0.00
If any Multiple Dependent Claim(s) present:			+	\$280.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee			+	\$130.00	= \$130.00
				SUBTOTAL:	= \$870.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):					= \$0.00

TOTAL FILING FEE:	=	\$870.00
TOTAL FEE	=	\$870.00
- \$0.00	-	\$870.00

Difference to pay:

[ X ] Check in the amount of \$1,000.00 in payment of  
\$740.00 official Government filing fee; \$130.00 Petition  
Fee and \$130.00 surcharge fee (37 C.F.R. § 1.16(e)).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 10, 2002

By Brian J. McNamara

FOLEY & LARDNER  
Customer Number: 22428

Brian J. McNamara  
Attorney for Applicant  
Registration No. 32,789



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5416  
Facsimile: (202) 672-5399



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

JUL 10 2002

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/061,455	02/04/2002	Nicholas Ayache	017346-0173

22428  
FOLEY AND LARDNER  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

CONFIRMATION NO. 8100

## FORMALITIES LETTER



\*OC000000008186620\*

Date Mailed: 05/24/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/15/2002 TBESHAH1 00000067 10061455

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 OP  
02 FC:105 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **Fig. 7** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the

date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$870** for a Large Entity

- **\$740** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



\*

Title: APPARATUS FOR SIMULATING THE DEFORMATION OF MATERIALS,  
NOT OF SOFT BODY TISSUES

Inventor(s): Nicholas AYACHE et al

Dkt. No. 01734-0173

Appl. No.: Unassigned

February 4, 2002)

35

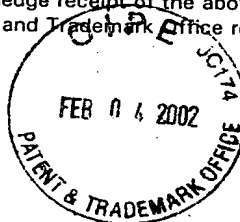
- Transmittal of Patent Application (2 pgs.);
- Application Data Sheet (3 pgs.);
- Preliminary Amendment (4 pgs.);
- Patent Application Specification (24 pgs.) and Annex (4 pgs.);
- Informal Drawings (3 sheets, Figs. 1-7);
- Unexecuted Declaration and Power of Attorney (4 pgs.);
- Information Disclosure Statement (2 pgs.);
- Form PTO-1449/1 Reference/Copy of French Preliminary Search Report;
- Claim for Convention Priority and Priority Document;

Commissioner for Patents:

Please acknowledge receipt of the above-identified documents by  
applying the U.S. Patent and Trademark Office receipt stamp hereto and mailing  
this card.

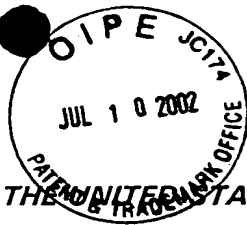
BJM\rh\krgc

Due: February 8, 2002



Respectfully,  
Foley & Lardner

QR: all, INSP: all



Atty. Dkt. No. 017346-0173

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Nicholas AYACHE et al

Title: APPARATUS FOR SIMULATING  
THE DEFORMATION OF  
MATERIALS, NOTABLY OF SOFT  
BODY TISSUES

Appl. No.: Unknown

Filing Date: Unknown

Examiner: Unknown

Art Unit: Unknown

**UTILITY PATENT APPLICATION**  
**TRANSMITTAL**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the nonprovisional utility patent application of:

Nicholas AYACHE  
Herve DELINGETTE  
Guillaume PICINBONO

Enclosed are:

- [ X ] Specification, Claim(s), and Abstract (24 pages) and Annex (4 pages).
- [ X ] Informal drawings (3 sheets, Figures 1-7).
- [ X ] Unexecuted Declaration and Power of Attorney (4 pages).
- [ X ] Information Disclosure Statement (2 pages).
- [ X ] Form PTO-1449 with copy of listed reference.
- [ X ] Copy of French Preliminary Search Report (2 pages).
- [ X ] Application Data Sheet (37 CFR 1.76) (3 pages).
- [ X ] Claim for Convention Priority and Priority Document.

**RECEIVED**

**JUL 16 2002**

**OFFICE OF PETITIONS**

☒ Preliminary Amendment (4 pages).

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
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If any Multiple Dependent Claim(s) present:				+ \$280.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$870.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):					= \$0.00
				TOTAL FILING FEE:	= \$870.00

- ☐ A check in the amount of \$0.00 to cover the filing fee is enclosed.
- ☒ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- ☐ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: February 4, 2002

By Brian J. McNamara

FOLEY & LARDNER  
Customer Number: 22428

Brian J. McNamara  
Attorney for Applicant  
Registration No. 32,789



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